

Applicants: Shi Du Yan, et al.
Serial No.: 10/577,382
Filed: October 28, 2004
Page 2

and (b). Specifically, the Notification indicated that the declaration appears to be a compilation of a number of separate declaration documents, which must be submitted as individual declarations, rather than combined into one declaration.

In response, applicants respectfully assert that the previously submitted declaration does comply with the requirements of 37 C.F.R. §1.497(a) and (b), and that M.P.E.P 201.03(II)(B) cited in the Notification is not applicable. Specifically, M.P.E.P 201.03(II)(B) states that:

An oath or declaration under 37 C.F.R. 1.63 by each actual inventor must be presented. While each inventor need not execute the same oath or declaration, each oath or declaration executed by an inventor must contain a complete listing of all inventors so as to clearly indicate what each inventor believes to be the appropriate inventive entity. Where individual declarations are executed, they must be submitted as individual declarations rather than combined into one declaration. For example, where the inventive entity is A and B, a declaration may not be executed only by A naming only A as the inventor and a different declaration may not be executed only by B naming only B as the inventor, which two declarations are then combined into one declaration with a first page of boiler plate, a second page with A's signature, and a second page with B's signature (so that it appears that the declaration was executed with the entire inventive entity appearing in the declaration when it did not).

Applicants: Shi Du Yan, et al.
Serial No.: 10/577,382
Filed: October 28, 2004
Page 3

Applicants note that each inventor was given a copy of the same declaration containing a complete listing of all inventors for his or her signature. Accordingly, applicants maintain that "individual" declarations were not executed, and therefore a declaration consisting of the common pages of the declaration followed by the signed signature pages received from each inventor is in compliance with 37 C.F.R. §1.497(a) and (b).

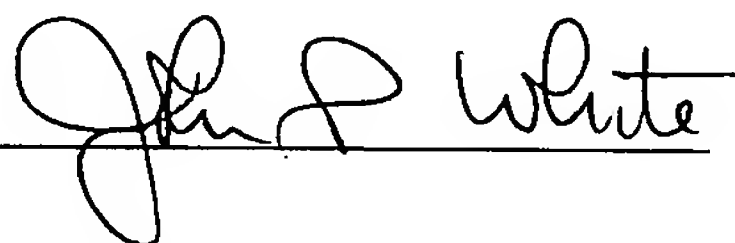
In view of the preceding remarks, applicants respectfully request issuance of a communication indicating that the previously submitted Declaration and Power of Attorney, a copy of which is attached hereto as **Exhibit B**, complies with 37 C.F.R. §1.497(a) and (b), and that the September 4, 2007 Notification of Defective Response was issued in error.

If a telephone interview would be of assistance in advancing the prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

Applicants: Shi Du Yan, et al.
Serial No.: 10/577,382
Filed: October 28, 2004
Page 4

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

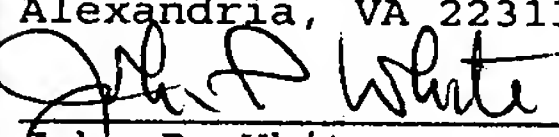
Respectfully submitted,



John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


John P. White
Reg. No. 28,678

10/4/07
Date